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ABSTRACT

We do not yet know for certain whether desegregation works because the goals of desegregation are so amorphous and the research conducted so far is inadequate to prove whether racial composition has an independent impact on student achievement. Desegregation is a complex issue whose nature is not known and may not be discovered because attempts to measure its effectiveness interfere with attempts to understand its complexities. One of the complications of desegregation is that many schools remain segregated even after desegregation plans have been implemented. In effect, these districts have become resegregated through the placement of students into tracked programs on the basis of their scores on achievement tests. The courts have held such practices to be unconstitutional. Tests cannot be used for placement purposes when the grouping that results reinforces the past effects of discrimination without providing the support to help minority students move from one group to another. Grouping or labeling without supportive instruction or appropriate diagnostic and instructional techniques thwarts desegregation. Answers to a series of questions such as whether tracks correspond to class and race, and whether parents can review placements, can be used to determine if student assignments are educationally justified. (Author/IRT)

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RESEGREGATION, A RECURRING PHENOMENON

AND

A METHOD OF ASSESSMENT

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Introduction

Our nation's commitment to the American dream that all of our children enjoy the opportunity for full educational development is being challenged again. This assault does not come from those foreign to the educational calling, rather it results from acts of omission and commission on the part of school officials themselves. Thus, many of our citizens question the course desegregation is taking.

It is, of course, too early to determine whether the effort to desegregate the nation's public schools is a failure. Yet, the utility of school desegregation continues to be debated. "The contemporary judicial landscape is cluttered with school desegregation decrees, many of which are enmeshed in controversy."[1] And, while questions of desegregation effectiveness continue to be raised, new problems emerge within desegregated settings. In short, "second generation desegregation" problems (better known as resegregation) within a desegregated environment receive more and more attention.

The point here is, the United States, traditionally considered the protector of individual liberties, now must focus on those problems resulting from the nation's well intended efforts to desegregate. Moreover, second generation desegregation problems are not addressed, minority group members and the nation as a whole will miss the full value of the quality of life thought to be so much a part of America.

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[1]David G. Carter, "Desegregation: Futuristic Consideration," School Desegregation: A Model At Work, (ed.) Frank Aquilla, Indiana University, Bloomington/Indianapolis, 1978, p. 97.

This paper examines desegregation as an issue and reviews some pertinent studies to weigh its effectiveness. The paper includes, as well, a brief discussion of resegregation. It concludes with a list of questions to be considered if resegregation is to be avoided. These questions should help develop a method of assessing the extent to which resegregation has occurred or is occurring.

A Perspective

We do not yet know for certain whether desegregation benefits both majority and minority students; in fact, questions remain about the nation's overall commitment to educational equality. The research conducted thus far has centered largely on student achievement and relations. Fewer researchers have examined the actual process of desegregation.

In addition, it is safe to say that the research has been inadequate to prove or disprove that the racial composition of the classroom has had an independent impact on student achievement. Before and since the Coleman study,[2] people have perceived predominantly Black schools as inferior. While some research has supported the view that segregation does, indeed, have a negative impact on the image of Black students, others remain undecided about the impact of the nation's effort to eliminate dual schools.

Methodological questions have been raised about the Coleman report findings. One major concern centers on the fact that the study was cross-sectional rather than longitudinal. Coleman and his colleagues lacked pre-test data and it is impossible to know whether a special selection bias operated where Black students in desegregated schools were initially brighter

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[2]James Coleman, et al, Equality of Educational Opportunity, Washington, D.C.: U.S.Government Printing Office, 1966.

and better achievers than the Black students in segregated schools. In fact, a whole spectrum of highly complicated methodical issues raised by studies like Coleman's should not be ignored.

Other studies by Pettigrew,[3] St. John,[4] Rossell,[5] Armor,[6] and Rogers and Bullock[7] all point ironically, to the need for more research in the area of school desegregation. In addition, some thought should be given to determining the most appropriate research approach in studying a particular problem.

We can safely assume that the goals of desegregation are so amorphous that it will be some time before we can make an overall assessment of its effectiveness. "Therefore, until [desegregation] has been given a much longer and more carefully designed trial, no final conclusions about the total implications of integration can be reached."[8]

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[3]Thomas F. Pettigrew, Elizabeth L. Useem, Clarence Normand and Marshall S. Smith, "Busing: A Review of the Evidence," The Public Interest, XXX, Winter, 1973, p. 91-93.

[4]Nancy St. John, "Desegregation and Minority Group Performance," Review of Educational Research, XL, February, 1970, 111-134; Robert P. O'Reilley (ed.), Racial and Social Class Isolation in the Schools, New York: Praeger Publishers, 1970.

[5]Christine H. Rossell, "School Desegregation, White Flight," Political Science Quarterly, 90, 1975-76, p. 675-95.

[6]David J. Armor, "White Flight, Demographic Transition, and the Future of School Desegregation," Paper presented at the American Sociological Association meetings in San Francisco, September, 1978.

[7]Harrell R. Rogers, Jr. and Charles S. Bullock, III, "School Desegregation: Successes and Failures," Journal of Negro Education, XLIII, Spring, 1974, p. 139-154.

[8]Ibid., p. 154.

On the other hand, while attention focuses on the need to develop more effective means for evaluating desegregation efforts, we must, as well, discover a way to assess the extent to which resegregation has occurred within a desegregated school setting.

Critics before me have questioned the techniques and strategies used to determine the success of efforts to desegregate. Furthermore, concern has been raised as to whether the quantitative approach alone is appropriate to monitor the extent to which resegregation is occurring. This concern has led to the suggestion that desegregation as a process may require anthropological field study. Sociologists, anthropologists, and more recently, educators refer to this apporach as "ethnography," "participant observation," or "qualitative research." These quantitative measures will be referred to as qualitative studies. Such approaches are frequently buttressed with more quantitative approaches. The rationale for suggesting more qualitative measures is that we must first understand the phenomena under study before attempting to assess its effectiveness. I am convinced that efforts to measure the overall effectiveness of desegregation may interfer with the ability of those examining the process to understand the complexities of the issue.[9] This failure may explain why educators have blithely accepted the "busing as the answer," rather than seeking more creative alternatives to implement the spirit of the Brown I and II decisions.

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[9]For insight as to how qualitative research can be used to examine desegregation as a process. Joan Cassell, A Fieldwork Manual for Studying Desegregated Schools, The National Institute of Education, 1978.

Minority Students, Tracking, Grouping and Resegregation

Many school systems remain segregated, "even after a court-ordered desegregation plan has been fully implemented."[10] Through practices such as the unequal application of disciplinary measures, ability grouping, and educational placement, minority students continue to receive uneven and unfair treatment. They have been, in effect, resegregated.

Tracking, or ability grouping, is the most frequently used technique to resegregate students. The controversy surrounding ability grouping based on intelligence testing continues to rage and critics observe that grouping students according to test results may well have a detrimental effect on minority students by fixing them with labels.

As the courts have consistently held, when desegregated plans have been implemented in a previously segregated school system, "standardized achievement or intelligence test scores are prohibited when the intended and actual result is the perpetuation of the dual system."[11] This point was reinforced in Lemon v. Bossier Parish School Board[12] where the Fifth Circuit Court of Appeals rejected the decision by the United States District Court for the Western District of Louisiana and remanded the case to the district court to have the school system rewrite its student assignment plan. According to the Appellate Court, basing the assignment of students

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[10] Betsy Levin and Philip Moise, "School Desegregation Litigation In the Seventies and the Use of Social Science Evidence; An Annotated Guide," Law and Contemporary Problems, 39, Winter, 1975, p. 120.

[11] Ibid.

[12] 444 F. 2d. 1400 (5th Cir. 1970).

on achievement test scores violated the precedent established by the United States Supreme Court in Singleton.[13] Specifically, the Appeals Court referred to the higher holding and refused to entertain even the question of testing in a recently desegregated school system.[14]

In another case, a federal district court agreed with the plaintiffs that the use of ability grouping in a newly desegregated school constituted a perpetuation of past discriminatory practices.[15] Here Black students had been denied the same educational benefits as white students when the school system was segregated. Moreover, when the dual system vanished "the Black students lost their principal and the educational philosophy of using a graded structure."[16] White students did not experience this turmoil, furthermore, no adjustments were made in the philosophy of homogeneous grouping when the schools desegregated. This system assigned students to eleven different levels according to reading achievement and ability, but no compensatory and remedial assistance was provided.

> Rather it appears that the school considered the nature of its homogeneous ability-achievement grouping to be, in and of itself, compensatory; that is, slow students were compensated by being placed with other slow students and being exposed to regular school materials at a slower pace.[17]

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[13] Singleton v. Jackson Municipal Separate School District, 419 F. 2d. 1211, 1219 (5th Cir.), rev'd, 396 U.S. 290 (1970).

[14] Id.

[15] Moses v. Washington Parish School Board, 330 F. Supp. 1340 (1971).

[16] John N. Drowatzky, "Tracking and Ability Grouping in Education," Journal of Law and Education, 10, January, 1981, p. 54.

[17] Moses, supra note 20 at 1343.

> In addition, "nearly everyone remained in the same group and level throughout the entire school year, and only changed groups and levels at the end of the year, This lack of mobility tends to lock students, especially those in the bottom sections, into the same section throughout grammar school.[18]

The court continued its rejection of assigning students on the basis of test scores in newly desegregated schools:

> It becomes readily apparent to anyone familiar with the nature of white and Black schools in the South that the children going to the white school are invariably provided with better facilities, faculties, and educational materials than their counterparts in the Black schools. It is equally apparent, give the obvious reluctance and racalcitrance of school boards to establish unitary schools, that the school board in deciding to use testing probably anticipated that most whites would score well and thus used testing to maintain as many segregated schools as possible. Testing used to resegregate students in a recently desegregated school system is not permissible.[19]

Thus, testing and consequent grouping are clearly a denial of equal educational opportunity and equal protection under the law.[20]

> Without determining per se the validity of the use of such tests, the Court holds testing, as used in Franklinton Elementary, denied the plaintiffs equal educational opportunity and impeded the immediate establishing of a truly unitary school as compelled by Alexander v. Holmes County Board of Education, 396 U.S. 19 (1969). It also had the effect of preserving the dual system of education prohibited under Brown v. Board of Education, 347 U.S. 483 (1954).[21]

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[18] Id. at 1344.

[19] Id. at 1345.

[20] Id. at 1343.

[21] Id. at 1342.

The Court also examined questions associated with the prior effects of segregation having apparently contributed to the test scores and, thereby, resulting in minority students being resegregated within individual classrooms.[22]

> Ability groupings, or the so-called "tracking method," may have some academic justification and may be an educational rather than a constitutional issue, but tracking or 'ability grouping' is suspect when it first begins to flourish on the eve of or during a desegregation suit.[23]

The Court again examined the segregative effect of grouping in Hobson v. Hansen.[24] Here the school system had been ordered to stop unconstitutional de jure segregation. The Court held that tracking was unconstitutional when minority students are systematically and permanently tracked in the lower levels of the curricula. Theoretically those placed in the lower tracks are supposed to benefit from compensatory and remedial instruction so they can move onto a higher track. However, such instructional assistance, in this case, was inadequate. In a decisive ruling, Judge Wright enjoined the school system from the further use of tracking and based his decision on the following findings:

1. Student placement in tracks within the schools corresponded significantly to class and race;
2. Track assignments did not permit the students to move from lower to higher tracks; and

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[22]Acree v. County Board of Education, 458 F. 2d. 486, 488 N.3 (1972), cert. denied, 409 U.S. 1006 (1972).

[23]Singleton, supra note 18 at 343.

[24]269 F. Supp. 401 (1967), aff'd subnom. Smuck v. Hobson, 408 F. 2d. 175 (1969).

3. The standardized tests used to classify students were not appropriate for the majority of the Black and poor white students in that the norm (reference group) had been primarily white-middle class.[25]

In sum, classification must not be based on criteria biased against non-white and poor students, and recently desegregated schools (at least should) avoid assigning students according to their social and economic status.[26]

Resegregation: An Emerging Dilemma for Educators

Every time an educator makes an educational placement decision, he or she must make choices that may ultimately result in charges of discrimination. What is it, then, that makes resegregation offensive or illegal? When examining educational programs where desegregation has been implemented, we often find minority students in classes separate from their white counterparts. Should a disproportionate number of minority students placed in the lower track without the likelihood of being regrouped suggest to an administrator that resegregation may be occurring? What can school officials do to prevent this resegregation? These represent only a couple of the questions administrators, teachers, and parents can anticipate.

At the outset, one must ask why resegregation occurs. Some believe it is nothing less than an overt effort psychologically to destroy American minorities. Others support the more rational view that the failure of educators to understand desegregation as a process; a resistance to instructional programming, and an inability to diagnose learning needs all play a

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[25] Id. at 512-14.

[26] Id.

part in resegregation. An additional component may very well be the influence society and the work environment have in shaping the perceptions educators hold of minority students. Perhaps the greatest contributor to resegregation is, however, the use or misuse of test results.

> The effects of testing and the inevitable result of classification cut across race and class. But it is the minorities and the poor who suffer most from this device which says, no matter how sophisticated the language, some are better than others.[27]

This point is that a self-fulfilling prophecy may well be contributing to the restricted placement minority students experience in newly desegregated schools.

To understand resegregation, one must determine how and why it occurs. To do this, one must be able to answer whether testing and classification procedures are consistent with the aim of helping students to maximize their potential. Tests have traditionally been used in newly desegregated schools to provide the data necessary to determine appropriate placement. Such a use cannot be supported when the grouping that results reinforces the past effects of discrimination without providing the support to help minority students move from one group to another. What results is that they are "locked" into classroom situations where curriculum, materials, teacher expectation and the resulting stigmas and hopelessness are the same or worse than they were in the days of separate and unequal schools."[28] Worse escape is highly improbable, if not impossible. Grouping or labeling without supportive instruction or the utilization of appropriate diagnostic and instructional techniques tend to thwart desegregation. Students never

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[27]Winifred Green, "Separate and Unequal Again," Inequality in Education, 14, July, 1973, p. 14.

[28]Green, Ibid., p. 15.

have the opportunity of benefit from appropriate instruction. Old stereotypes are reinforced; old values and perceptions remain. What can be done to keep this from happening? I believe that negative answers to the following questions suggest that resegregation has taken hold:

Did the standardized tests used to group students include minorities in the norm?

Is there a disproportionate number of minority students in the lower group?

Is student progress monitored on at least a quarterly basis?

Are the results used to re-evaluate the appropriateness of a student's placement and do changes in student placement occur as a result of this new data?

Does student placement on tracks within the schools correspond to class and race?

Have the tests been determined to be as culturally unbiased as possible?

Do students regularly move from lower to higher tracks?

Did school officials use more than one means (standardized test) to determine appropriate placement?

Does the school system follow rigorous procedures before a student can be placed on a lower track?

Do parents have an opportunity to question the placement of their child prior to a final decision?

Are teachers required to set forth in writing the reasons for a lower group placement?

Do parents have a right to a hearing concerning their child's placement?

Are the test data, relevant school records, and papers available to parents for review?

Do your procedures enable you to protect students from being placed on lower tracks because of behavior or personality conflicts?

Does the school provide compensatory instruction for those placed on various tracks?

Does the schedule permit interaction between students in the different tracks?

Can system of placing students be justified educationally?

Are the individual needs of the student being met within the group to which he or she has been assigned?

Do students understand why they were assigned to a particular class?

The answers to these questions can help you judge whether the assignment of students to classrooms can be educationally justified. This information should help you appreciate the basis for student assignment within the school. Regardless of your conclusions, spend time assessing the overall appropriateness of all student placement decisions. This care should help you prevent school resegregation.

Ethnographic Studies: A Research Method for Understanding Resegregation

Finally, the ethnographic approach should enable school officials to understand resegregation as a process. This approach enables one to examine the issue under study as it is occurring without worrying whether variables are held constant. Such studies can help school officials gather data to answer the following questions:

1. What evaluation criteria are necessary in desegregated settings to avoid resegregation?
2. Where desegregation has occurred, what practices, policies and programs foster it?
3. What techniques and strategies have been effective in alleviating resegregation?

Unless officials do gain an understanding of resegregation, their efforts to desegregate will continue to be inhibited and the promise of Brown I and II will never truly be realized by those of us working in education.

Although desegregation problems continue to confront educators some twenty-six years after Brown II, resegregation poses new and different and insidious problems now to be addressed by those who advocate equal access to educational opportunities. Though the Brown II decision placed the responsibility for desegregation squarely with local school officials, the subtle, second generation problems require the entire country to commit itself to the eradication of institutional racism.

The use of qualitative measures may well provide educators with a framework for better understanding the processes or factors that lead to resegregation. And this understanding is a prerequisite to implementing strategies to prevent resegregation. Every time an educator makes an educational placement decision, he or she makes choices that may ultimately result in charges of discrimination. Consequently, he or she must know precisely what it is that has made the decision illegal or suspect -- and why it may or may not lead to resegregation.